

UNION TOWNSHIP – TOWNSHIP COMMITTEE
REGULAR MEETING

JANUARY 17, 2007

MINUTES

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

Flag Salute

Roll Call - Present: Rob Haynes, Lisa Nargi, Matt Severino, Pat Dziubek and Frank Mazza. J. Peter Jost, Esq., Township Attorney; John Reymann, P.E., Township Engineer and K. Judith Fabian, Township Clerk, were also present.

APPROVAL OF MINUTES – 1) Re-organization Meeting, 1/3/07; Motion was made by Mr. Haynes, seconded by Mr. Severino, to adopt the Minutes. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

2) Regular Meeting and Executive Session, 1/3/07; - Motion was made by Mr. Severino, seconded by Mrs. Dziubek, to approve the Regular Meeting and Executive Session Minutes. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

TAKEN OUT OF AGENDA ORDER

NEW BUSINESS – 1. Jeff Polenz, Emergency Management Coordinator, present to explain the National Incident Management System (NIMS); after a brief discussion, the following resolution was introduced for adoption:

RESOLUTION #2007-25
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, in Homeland Security Presidential Directive (HSPD) 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the 9-11 Commission recommended adoption of a standardized Incident Command System; and

WHEREAS, it is necessary that all Federal, State, and Local emergency management agencies and other public safety agencies coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and Local organizations utilize standard terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability to utilize State and Federal funding to enhance County and Local agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County, and Local Municipalities, including all public safety and emergency response organizations training programs; and

WHEREAS, over fifty Federal grant programs mandate that NIMS be adopted as a prerequisite for obtaining these grants;

NOW, THEREFORE, BE IT RESOLVED, that the Union Township Committee of the County of Hunterdon hereby mandates that the National Incident Management System (NIMS) be utilized for all incident management in the Township of Union; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

2. Discussion/Interviews for the position of Township Engineer; a) Michael S. Finelli, PE; Kevin M. Smith, PE and Nevitt Duveneck, PE, representing Finelli Consulting Engineers, Inc., Washington, NJ; - Mr. Finelli gave a brief summary of his firm. Kevin Smith would be the designated engineer to Union Township; - Mr. Smith and Duveneck gave their background and experience; have 18 employees;

have not worked with Princeton Hydro; strong experience in stormwater management; have a licensed surveyor in-house (to up date tax maps); they can copy large documents i.e. Blueprints; they would bill for travel time at approximately ½ travel time.

b) Paul W. Ferriero, PE, President and Bob Brightly, PE, Township resident and principal of Ferriero Engineering, Inc., Chester, NJ. Mr. Ferriero gave his background and experience; they have broad municipal experience; licensed surveyor on staff; worked in Union Township for the school and Milligan Farm; he would personally be responsible for Union Township; have 24 employees; do represent small developers; do approximately 50% municipal work; are a full-service firm; have obtained grants for every municipality they represent; capable of scanning large documents; they would bill portal to portal for travel time.

c) Clay McEldowney, PE and Peter Turek, PE., Township resident and principal of Match Mott MacDonald, Clinton, NJ. Mr. McEldowney gave a brief background summary. Mr. Turek would represent Union Township; he provided his background and 30 years experience; they focus 99% on municipal engineering; could be at Union Township within 5 minutes; would follow projects through to their conclusion; he has knowledge of the Township road ways; has stormwater management experience; understands fiscal responsibility/project budgets/cost effective programs; has done successful grant programs; firm does not represent large developers; can update tax maps; has a surveying crew in the Clinton office; he would bill travel time from Clinton.

d) Robert J. Clerico, PE, and Ed Herrman, PE representing Van Cleef Engineering Associates, Lebanon, NJ. Mr. Clerico gave his background and 40 years experience; represent 7 municipalities in Hunterdon County; a full-service company; he would be the named Township Engineer; worked on and obtained many types of grants; would be responsive and their firm has a good reputation.

Mr. Herrman stressed his priority would be getting projects finished in an economical way so that everyone is happy with the end result. Mr. Jost mentioned he has worked with Mr. Clerico and he is very responsible. Mr. Haynes clarified this firm can update tax maps and scan large documents; travel time would be billed as it applies to inspectors; as a principal of the firm, he does not charge mileage.

Comments From the Public (as it would pertain to the Township Engineer's position): Tom Ricker/Bruce Rossi/Matt Mulhall.

John Reymann, PE, Temporary Township Engineer, joined the meeting.

3. Mary Beth Lonergan, PP, Township Planner's office, came forward to discuss COAH issues; - Ms. Lonergan gave her background and status of Union Township w/COAH requirements along with Mr. Mulhall. Ms. Lonergan distributed a summary of 3rd round plan before COAH; she provided an overview of the 3 parts of the 3rd round; as did Mr. Mulhall; she will have draft Contracts and resolutions for the next Committee meeting for RCA receivers; the Request for Proposals (RFP) for the Milligan site (9 buildings housing 5 units each; to finance/build/manage the units) she recommended establishing a subcommittee to oversee this process.

It was noted the County is requiring road widening and a new detention basin (to be appealed) and due to changes; plans will have to go back before the Planning Board. Mr. Mulhall offered his support in the appeal to County. Ms. Lonergan suggested proceeding with the RFP while working out final details.

Paul Ferriero, PE, working on the project for the Township joined the discussion. Mr. Ferriero will take the lead in the appeal along with Mr. Jost and representatives from the Township Committee and possibly others.

4. After a brief discussion, the following resolution was introduced for adoption:

RESOLUTION 2007-26
RE: OBTAINING OF OPEN SPACE TRUST FUNDS
FROM THE HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal Master Plan and/or restoration of county-owned historic facilities; and

WHEREAS, The Governing Body of the Township of Union, County of Hunterdon, desires to obtain Open Space Trust Funds in the amount of \$62,049.14, plus such amounts as are determined to be available for the year 2006, to fund the following project(s):

Milligan Farm – Union Township Open Space Plan – Green Acres Project No. 1025-02-075 – acquisition in fee simple of 85.618 acres to be permanently preserved as open space.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that:

- 1. Union Township Mayor Frank Mazza is authorized to: (a) make an application to the County of Hunterdon for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program and (c) act as the principal contact person and correspondent of the above-named municipality;
- 2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes thereto;
- 3. Mayor Frank Mazza is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

Motion was made by Mrs. Nargi, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

5. Application for Use of Public Facilities; Colonial Quilters/Municipal building; motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to approve said application. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

6. The following resolution was introduced for adoption:

**RESOLUTION #2007-27
2006 TAX OVERPAYMENT APPLIED TO 2007 TAXES**

WHEREAS, there exists an overpayment of taxes for the attached List of Properties;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the 2006 tax overpayment be applied to the 2007 taxes of persons named as follows:

Owner	Block	Lot	Qualifier	Amount
Quartararo, Rosario	1.06	2		\$1,298.52
Bellewood Park Properties	1.08	18.01		1,045.20
Poniatowski, Helene A.	1.08	24		15.04
Tostevin, C. J. 7 Donna.	1.09	29.01		25.47
Tortorello, Nicholas & Tracey	4	3.04		18.68
Huczko, Stephen Jr. & Kathleen C.	5	5		13.21
Murray, John G. & Diane M. Etals	9	20.02		14.01
Philips, James & Judith	9	21		13.45
16 Route 173 West Hampton, LLC	11	12		101.54
Matos, Agostinho	12	1		2,048.70
169 Perryville Road Hampton LLC	13	11.01		24.40
Ghali, Nader F.	15	14		40.54
Cartwright, Lawrence & Priscilla	15	19.01		108.40
LFP Holdings LLC	15	20		10.92
Vogel, Darin & Barbara	15	28.01		47.70
Taibi, Frank D. & Stephanie	21	29.02		24.92
Bolden, Anna Marie	24	2	C0114	324.62
Buchan, Patricia Esther	24	2	C0809	37.10
Connolly, Lynn M.	24	2	C0902	231.34
Diaz, Gary & Jamie	24	2	C2501	831.60
Ahearn, Joseph D.	24	2	C2909	709.18
Soloway, Thomas	24	2	C3206	516.69
Hulse, Richard & Chi Yin	25	1.07		24.90
Culbertson, G K c/o Land Equity	25	35	Q Farm	234.68
Mascola, Robert C. & Irene	29	7.10		13.13
Theurer, Gregory J. & Kim	5.01	25		16.61
Simone, Richard & Karen	22.02	12		29.31
Weider, Douglas R. & Ellen H.	22.02	23		10.32
Tejeda, Hector & Evelyn	25	2.05		6,322.11

NOW, THEREFORE, BE IT RESOLVED by the township Committee of the Township of Union, County of Hunterdon, State of N. N., that the 2006 tax overpayment be applied to the 2007 taxes of the person(s) named above.

Motion was made by Mrs. Nargi, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

7. Raffle Licenses #2007-1 and 2; Union Township PTA; motion was made by Mrs. Nargi, seconded by Mr. Haynes, to approve both license applications. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

8. After a brief discussion, the following resolution was introduced for adoption:

RESOLUTION #2007-28

2007 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES; Maser Consulting P. A.

WHEREAS, the Township of Union has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Maser Consulting P.A., has completed and submitted a Business Entity Disclosure Certification which certified that Maser Consulting P.A. has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit Maser Consulting P.A. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Maser Consulting P.A. as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Maser Consulting P.A. under the direct supervision of C. Richard Roseberry, P.E... is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2007, to December 31, 2007.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and also part of this agreement.
6. Maser Consulting P.A. will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.
8. A notice of this action shall be printed once in the official newspaper.

Motion was made by Mr. Haynes, seconded by Mrs. Nargi, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.⁹

9. Application for Special Permit for Social Affair; Hunterdon Medical Center Foundation; 3/16/07; Hunterdon Hills Playhouse; - motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to authorize the Clerk to sign said application. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

10. Raffle License Application #2007-3; Pattenburg Volunteer Fire Company; 3/23/07; - motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to approve said application. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

REPORTS RECEIVED –	1. Building Dept.	12/06 Summary
	2. CFO	Check Register; 1/17/07
	3. Court Administrator	12/06

CORRESPONDENCE – Mrs. Nargi mentioned the following: - Hunterdon County Utilities Authority letter regarding recycling; - letter from Francis Gambony, Master Plan Roadway easement; tabled; - she received a letter from John Scott regarding the Highlands Master Plan and a proposed meeting; - she referred to Mr. Hintz's letter received 1/8/07; - she wanted to see involvement between UTEC and the Township Committee.

Mr. Severino mentioned the Highlands Council want input from towns on resources/critical habitats/utility work/easements by March 2, 2007; he suggested UTEC and the Planning Board review the maps and the Township issue one (1) report.

Mrs. Nargi continued – letter from Bruce & Karen Harrison regarding Douglass farm and house. Mr. Severino mentioned trash is piled outside; disposal options considered; - Hoffman house has been cleaned out; vacated apartment and Douglass house need to be winterized and secured.

After a brief discussion, motion was made by Mr. Haynes, seconded by Mr. Severino, to authorize Mr. Mazza to spend up to \$1,500 to winterize and secure the vacated apartment and Douglass house. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Mr. Mazza mentioned correspondence from C. Altomari, Princeton Hydro regarding the Sidney Brook Watershed Announcement.

OLD BUSINESS – None.

NEW BUSINESS – Taken earlier in the meeting.

ATTORNEY'S REPORT – Mr. Jost mentioned he had a matter for Executive Session; - he was in favor of having an open space map prepared. Mr. Nargi noted the County has prepared such a map.

MAYOR'S REPORT – Mr. Mazza suggested the following: - dates for special meeting/budget workshop sessions: February 5 and 19, 2007 at 7:00 p.m.; - after a brief discussion, motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to appoint Kathy Harvey to the Recreation Committee to fulfill the unexpired term of Bill Riddle (resigned) to expire 12/31/08. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried. Mr. Mazza made the following appointments: Planning Board; Richard Brandt to fulfill Jay Grossi's unexpired term to expire 12/31/08; UTEC; Sandy Stiger to fulfill Skip Jonas's unexpired term to expire 12/31/07.

After a brief discussion, the following resolution was introduced for adoption:

RESOLUTION #2007-29

AUTHORIZING APPLICATION FOR MUNICIPAL EXEMPTION FROM REQUIREMENT TO APPOINT A PRINCIPAL PUBLIC WORKS MANAGER

WHEREAS, N.J.S.A. 40A:9-154.6g et seq. specifically subsection (d) provides that any municipality that conducts minimal or no public works activity may apply to the Director of the Division of Local Government Services for an exemption from the requirement to appoint a principal public works manager; and

WHEREAS, this governing body is of the opinion that this municipality conducts minimal public works activity and therefore qualifies for the exemption set forth in the above statutes;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that this governing body hereby requests that the Director of the Division of Local Government Services allow an exemption to this municipality from the requirement to appoint a principal public works manager; and

BE IT FURTHER RESOLVED, that the Mayor and/or Clerk are hereby authorized to prepare, sign and submit the appropriate application for municipal exemption from the requirement to appoint a principal public works manager (N.J.S.A. 40A:9-154(6g) to the Director of the Division of Local Government Services as soon as possible, and take all other necessary actions to qualify for such exemption.

Motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Mr. Mazza was in favor of the Road Dept. Foreman becoming certified (Principal Public Works Manager). After a brief discussion, motion was made by Mr. Severino, seconded by Mrs. Nargi, to request the Road Dept. Foreman file a weekly report with the Township Committee regarding duties and activities of said Dept. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Naye: Mr. Haynes. Motion carried.

It was agreed Mr. Mazza will speak to the Road Dept. Foreman.

The Clerk was requested to send letters to all former Committee/Board/Township Committee members thanking them for their service to the Township.

COMMENTS FROM THE PUBLIC – None.

CLERK'S REPORT – Request of Finance Officer and Tax Collector to attend Ethics Seminar; motion was made by Mrs. Dziubek, seconded by Mr. Severino, to approve these requests. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

COMMITTEE REPORT – Mr. Haynes mentioned the resolution adopted on January 3, 2007, appointing the Township Engineer for 90 days; on January 5th a member of the Township Committee advised Township employees to continue using Maser Consulting until details are finalized (not in accordance with action taken on January 3rd). Mr. Severino explained why he so advised employees. Mr. Mazza agreed with Mr. Severino's action. Mr. Jost mentioned there has been confusion on the duties of the prior / newly appointed Township Engineer.

After a brief discussion, motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to have Maser Consulting do perc tests until January 31, 2007. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mrs. Nargi, seconded by Mr. Severino, to have Maser Consulting handle Lookout Pointe until they are advised by the Township Committee to cease. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to have Maser Consulting do permit review assistance until further notice. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Mr. Haynes reiterated his question – “can a Committee person overturn action taken by the Township Committee” – no.

PAYMENT OF THE BILLS – Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof; seconded by Mrs. Dziubek. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

RESOLUTION EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Litigation/Contract Negotiations/Potential Litigation.

Motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

NOTE: Mr. Haynes recused himself and left the meeting not to return.

Motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to return to the regular meeting. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, a motion was made by Mrs. Dziubek, seconded by Mr. Severino, to adjourn. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Meeting adjourned at 11:50 p.m.

Respectfully submitted,

K. Judith Fabian, RMC; Township Clerk

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